

EXHIBIT A

2021-32990 / Court: 152

CAUSE NO. _____

Christina McCurtain	§	IN THE DISTRICT COURT OF
	§	
Plaintiff	§	
	§	
v.	§	HARRIS COUNTY, TEXAS
	§	
Home Depot U.S.A., Inc.	§	
	§	
Defendant	§	JUDICIAL DISTRICT

Original Petition

Plaintiffs Christina McCurtain complains of Home Depot U.S.A., Inc. and would respectfully show the Court the following:

I.

Nature of Action

1. Plaintiffs lost their husband and father as a result of the events below.

II.

Discovery Level

2. Discovery in this matter may be conducted under Level 3 of the Texas Rules of Civil Procedure.

III.

Jurisdiction and Venue

3. The claims asserted arise under the common law of Texas.
4. Venue is proper because the incident occurred in this County.
5. Plaintiffs seeks less than \$75,000.00 inclusive of costs and interest.

IV.

Parties

6. Plaintiff is a Texas resident.
7. Defendant Home Depot U.S.A. Inc. is a Georgia company that may be served through its registered agent Corporation Service Company d/b/a CSC-Lawyers INCO at 211 E. 7th Street, Suite 620, Austin, Texas 78701.

V.

Facts

8. Plaintiff was an employee of Defendant. On or about December 5, 2020, Plaintiff was working to consolidate Christmas stock and moving Christmas trees. While showing two new employees how to use the Ballymore, Plaintiff attempted to pull herself up to the top of it and heard her knee pop. She now requires surgery to repair torn ligaments in her knee.

VI.

Causes of Action

A. *Negligence as to Home Depot as a non-subscriber.*

9. Plaintiffs repeat and reallege each allegation contained above.
10. Plaintiff was an employee of Home Depot at the time of her injury. Home Depot was a non-subscriber to Texas Worker's Compensation. Defendant failed to provide a safe work environment or proper training with respect to the use of the Ballymore and how to mount it. This negligence caused Plaintiff's injuries.

VII.

Prayer

Plaintiff prays for relief and judgment in a monetary amount less than \$75,000, as follows:

- Past and Future physical pain and suffering and mental anguish;
- Past and future medical bills;
- Past and future loss of earning capacity;
- Past and future impairment;
- Disfigurement;
- Interest on damages (pre- and post-judgment) in accordance with law;
- Costs of court;
- Such other and further relief as the Court may deem just and proper.

VIII.

Jury Trial Demanded

Plaintiff hereby demands a trial by jury.

Respectfully submitted,

PIERCE SKRABANEK, PLLC

/s/ M. Paul Skrabanek

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